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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ERIC Y. SHAN, FABIO CASATI, MARIA GUADALUPE
CASTELLANOS, and MING-CHIEN SHAN

Appeal 2009-004057
Application 10/814,715¹
Technology Center 2100

Decided: November 16, 2009

Before HOWARD B. BLANKENSHIP, JEAN R. HOMERE, and
STEPHEN C. SIU, *Administrative Patent Judges*.

HOMERE, *Administrative Patent Judge*.

DECISION ON APPEAL

¹ Filed March 31, 2004. The real party in interest is Hewlett Packard Development Co.

I. STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from the final rejection of claims 1, 8, 18 and 25. Claims 2 through 7, 9 through 17, 19 through 24, and 26 through 30 have been objected for being dependent upon a rejected claim but would be allowable if rewritten in independent form to include the limitation of the base claim and any other intervening claims. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Appellants' Invention

As shown in Figure 2, Appellants invented a method and system for using one of a plurality of methods to load data from a vertical database table (202) into a horizontal database table (204). (Spec. para. [0018] - [0022].)

Illustrative Claim

Independent claim 1 further illustrates the invention. It reads as follows:

A processor-implemented method for loading data from a vertical database table into a horizontal database table, comprising:

determining a number of rows in a vertical database table and a number of columns in a horizontal database table, wherein the vertical table includes at least three columns, with entries in a first column containing object identifiers, entries in a second column containing attribute names corresponding to the object identifiers, and entries in a third column containing attribute values corresponding to the attribute

names, and the horizontal table includes a column for the object identifiers and attribute columns for the attributes names;

selecting one of a plurality of methods for reading data from the vertical database table and writing data to the horizontal database table based in part on the number of rows in the vertical database table and the number of columns in the horizontal database table; and

reading object identifiers and values of attributes from the vertical database table and writing the object identifiers and the values of attributes to the vertical database table using the selected one of the plurality of methods.

Prior Art Relied Upon

The Examiner relies on the following prior art as evidence of unpatentability:

Agrawal

6,763,350

Jul. 13, 2004

Rejections on Appeal

The Examiner rejects the claims on appeal as follows:
Claims 1, 8, 18, and 25 stand rejected as being anticipated by Agrawal.

Appellants' Contentions

Appellants contend that Agrawal does not teach selecting one of a plurality of methods for converting a vertical database table into a horizontal database table, as recited in independent claim 1. (App. Br. 4-8.) According to Appellants, while Agrawal discloses two strategies for transforming a database table from horizontal to vertical and vice-versa, neither strategy

involves selecting one of a plurality of methods for reading data from the vertical database table and writing data to the horizontal database table based in part on the number of rows in the vertical table and the number of columns in the horizontal database table, as required by the claim. (*Id.* at 5.)

Examiner's Findings

The Examiner finds that Agrawal's disclosure of using the V2h (Ω) operation or Ω^k (v) operation teaches selecting one of a plurality of methods to transform a vertical database table into a horizontal database table. (Ans. 5-8.)

II. ISSUE

Have Appellants shown that the Examiner erred in finding that Agrawal teaches selecting one of a plurality of methods to transform a vertical database table into a horizontal database table, as recited in independent claim 1?

III. FINDINGS OF FACT

The following Findings of Fact (FF) are shown by a preponderance of the evidence.

Agrawal

1. Agrawal discloses a method and system for generating a horizontal view for SQL queries processed against a vertical database table. (Abstract.)

2. As shown in Figure 2, Agrawal discloses a $v2h$ operator or a $v2h(\Omega)$ operation for converting the attributes of a vertical database table into corresponding attributes for a horizontal database table. (Col. 2, ll. 36-42, col. 5, ll. 11-13.)

3. Agrawal discloses another operation $\Omega^k(v)$ for converting the attributes of the vertical database table into corresponding attributes for the horizontal database table of arity $k+1$. (Col. 5, ll. 14-26.)

IV. PRINCIPLES OF LAW

Anticipation

In rejecting claims under 35 U.S.C. § 102, “[a] single prior art reference that discloses, either expressly or inherently, each limitation of a claim invalidates that claim by anticipation.” *Perricone v. Medicis Pharm. Corp.*, 432 F.3d 1368, 1375 (Fed. Cir. 2005) (citing *Minn. Mining & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 1565 (Fed. Cir. 1992)).

“Anticipation of a patent claim requires a finding that the claim at issue ‘reads on’ a prior art reference.” *Atlas Powder Co. v. IRECO, Inc.*, 190 F.3d 1342, 1346 (Fed. Cir. 1999) (citation omitted.) “In other words, if granting patent protection on the disputed claim would allow the patentee to exclude the public from practicing the prior art, then that claim is anticipated, regardless of whether it also covers subject matter not in the prior art.” *Id.*

V. CLAIM GROUPING

Appellants argue the patentability of claim 1 in conjunction with the rejection of claims 1, 8, 18 and 25. In accordance with 37 C.F.R. § 41.37(c)(1)(vii), we will consider all the claims on appeal as standing and falling with representative claim 1.

VI. ANALYSIS

Independent claim 1 requires in relevant part selecting one of a plurality of methods to transform a vertical database table into a horizontal database table.

As set forth in the Findings of Fact section, Agrawal discloses using a $vh2(\Omega^l)$ operation or a $\Omega^k(v)$ operation for transforming attributes of a vertical database table into attributes of a horizontal database table. (FF. 2-3.) We find that by transforming attributes of the vertical database table into corresponding ones for a horizontal database table using either of the cited operations, Agrawal teaches selecting one of the two operations to perform the transformation. Since the claimed plurality of methods generally refers to two or more methods, we agree with the Examiner that Agrawal's disclosure of the two operations teaches the disputed limitations. It follows that Appellants have not shown that the Examiner erred in finding that Agrawal anticipates claim 1.

VII. CONCLUSION OF LAW

Appellants have not established that the Examiner erred in rejecting claims 1, 8, 18, and 25 as being anticipated under 35 U.S.C. § 102(e).

VIII. DECISION

We affirm the Examiner's rejection of claims 1, 8, 18, and 25.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

dal/nhl

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